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9 MEMBER OF NY BAR*Mr. Haley may
participate in the conference
by telephone.
Follows, USMS, 7/24/08*

July 21, 2008

VIA FEDERAL EXPRESS

Honorable Frank Maas, U.S.M.J.

U.S. District Court for the Southern District of New York

Daniel Patrick Moynihan

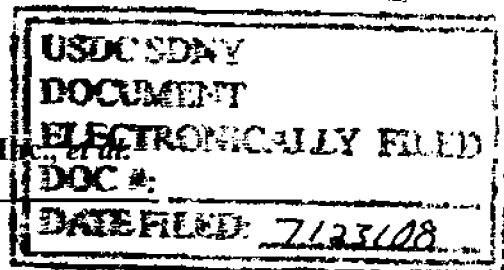
U.S. Courthouse

500 Pearl Street

New York, New York 10007

Re: **Evariste v. Securitas Security Services USA, Inc., et al.**
Civil Action No: 07-7262 (HB)

Dear Judge Maas:



We represent Defendant Securitas Security Services USA, Inc. ("Securitas"). As Your Honor directed by letter dated July 17, 2008, enclosed please find the initial discovery we propounded in March 2008 (Exhibit A), and the revised discovery we propounded in May 2008 (Exhibit B).

Please note, at the scheduling conference conducted by Judge Baer on May 27, 2008, Plaintiff's failure to respond to our discovery was addressed. At that time, Judge Baer directed us to revise Securitas' initial discovery demands. Thereafter, by letter dated May 27, 2008, we complied. In that letter, we also requested - in light of Court's discovery deadline of August 29, 2008 - that Plaintiff respond to Securitas' discovery demands by no later than June 30, 2008, and that he appear for his

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Honorable Frank Maas, U.S.M.J.

Page - 2 -

July 21, 2008

deposition on July 16, 2008. Because we heard nothing from Plaintiff, we involved the Court. Please also note, we are not aware of any discovery demands propounded by Plaintiff.

Finally, with respect to the Conference scheduled for July 30, 2008 at 5:00 p.m., we respectfully request permission to appear by telephone. The reason for this request is my involvement in a mediation session on July 30th, beginning at 2:00 p.m. in Montclair, New Jersey. The mediation session, which is not likely to conclude in time for me to get Your Honor's courtroom, has been rescheduled at least two times. If possible, I would appreciate the opportunity to appear by telephone. Thank you.

Respectfully submitted,



WILLIAM H. HEALEY

cc: Kapiamba Evariste, *pro se* Plaintiff (via Federal Express)

WHH/sd

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